IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 13TH SEPTEMBER 2007 / 22ND BHADRA 1929

Crl.MC.No. 1523 of 2001()

CP.171/2000 of JUDL. MAGISTRATE OF FIRST CLASS COURT-II, NEDUMANGAD

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PETITIONER:

SMT.VASANTHAKUMARI,
KALLIYIKAL VEEDU,
VITHURA.

BY ADV. SRI.B.S.SWATHY KUMAR

RESPONDENTS:

STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR, SRI C.K.SURESH

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 13/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P.NO.1354/2001 IN CRL.M.C.NO.1523/2001

CLOSED

SD/- K.R.UDAYABHANU, JUDGE

13/09/2007

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K.R.UDAYABHANU, J.

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Crl.M.C.No.1523 of 2001-A

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Dated this the 13th day of September, 2007

O R D E R

The petitioner who is the sole accused in C.P.No.171/2000 in the file of the Judicial Magistrate of the First Class-II, Nedumangad, has sought for getting quashed the proceedings initiated against her under Sections 498A and 306 I.P.C. The petitioner is the mother-in-law of the deceased. The prosecution case is that the deceased was made to commit suicide on account of the frequent taunts of the petitioner that she is not sufficiently beautiful; her son would have got a better bride etc. The prosecution has cited witnesses 1 to 15 in support of the charge. The petitioner has only produced the statement of the first witness, who is the father of the deceased in support of her contention that there was no harassment. I find that the F.I.S contains specific allegations against the accused herein. In the circumstances, I find that this is not a fit case to invoke Section 482 Cr.P.C.

The counsel for the petitioner has sought for a direction that the accused may apply for discharge. The petitioner/accused would be at

liberty to apply for discharge and the same shall be considered by the court below.

The Crl.M.C is disposed of accordingly.

K.R.UDAYABHANU,
Judge

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K.R.UDAYABHANU, J.

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Crl.M.C.No.1523 of 2001-A

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O R D E R

13th September, 2007